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**MEMO ENDORSED**

Application Granted / Denied  
So Ordered.

*Cathy Seibel*  
Cathy Seibel, U.S.D.J.

Dated: 9/25/12

September 25, 2012

**By Facsimile To: 914-390-4278**

Honorable Judge Cathy Seibel  
United States District Court  
Southern District of New York  
The Hon. Charles L. Briant Jr. Federal  
Building and United States Courthouse  
300 Quarropas St., Courtroom 621  
White Plains, NY 10601-4150

Re: Giroto v. 49 Purchase, LLC, a New York limited liability company  
Civil Action 7:11-cv-05810 (CS)

Dear Judge Seibel:

The undersigned represents the Plaintiff in the above-captioned case matter.

On August 15, 2012, this Honorable Court entered its Order of Discontinuance, granting a 45 day period for restoration of this action should the settlement not be consummated, which deadline is September 29, 2012. As of this date, the settlement agreement is still being reviewed and has not yet been executed, nor settlement funds received. Therefore, the undersigned respectfully requests that the Court grant an extension to reopen this matter for another 45 days, through and including November 13, 2012. We have conferred with opposing counsel, who has no objection to this extension.

The Court is advised that this is the Plaintiff's first request to extend the deadline to reopen in this matter. Thank you for your attention to this matter.

Yours very truly,  
The Weitz Law Firm, P.A.

By: \_\_\_\_\_

*Robert J. Mirel*  
Robert J. Mirel, Esq.

cc: David Lacher, Esq. via facsimile (914) 560-2100

